

TIMOTHY J. WALSH (69509)  
ATTORNEY AT LAW  
1319 TRAVIS BL.  
FAIRFIELD, CA. 94533  
TEL: 707 429-1990  
FAX: 707 429-1998  
FFLAW@SBCGLOBAL.NET  
ATTORNEY FOR DEBTOR

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

IN RE THE BANKRUPTCY OF  
JAMES M. BALANESI  
CYNTHIA A. BALANESI  
Debtor

Case No.: 11-45163

TJW-1

MOTION TO COMPEL TRUSTEE TO  
ABANDON BUSINESS OF DEBTOR

DATE: DEC 13 2011

TIME: 2:00 PM

DEPT: C

COURTROOM 35

JUDGE: CHRISTOPHER M. KLEIN

MOTION TO COMPEL TRUSTEE TO ABANDON BUSINESS OF DEBTOR

Debtors hereby move the Court for an order to compel the trustee to abandon his interest in the business of the debtor, that certain sole proprietorship known as "GOOD DAY CAFÉ", including all assets and receivables thereof, disclosed on the petition in schedule B and exempt to the full value on schedule C. The basis of this motion is that the asset has no value to the estate, and constitutes a detriment and liability to the estate.

Said asset is listed as a value of \$4000. It consists of misc. tables and chairs, pots and pans.

There is no good will. This business is a small café located at 314 Georgia St. Vallejo. This business began in 2009. The average net income to debtor from operation of the business is approximately \$3,047.00

This motion is based on the contents herein the declaration of debtors filed concurrent herewith and the statements and schedules on file with the Court.

WHEREFORE:

1 Debtors pray the Court grant the motion and issue an order to compel the trustee, Geoffrey  
2 Richards to abandon any and all interest of the estate in that certain business known as  
3 GOOD DAY CAFÉ at 314 Georgia St Vallejo, Ca.

4  
5 Dated this 9<sup>th</sup> DAY OF Nov. 2011

6 /S/ TIMOTHY J. WALSH  
7 TIMOTHY J. WALSH  
8 ATTORNEY FOR DEBTOR  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28